

2002, at the age of 19. His family's lawsuit sits on the court docket in Cuyahoga County, along with another 34,000 claims.

Children who grew up in the asbestos mining town of Libby, Montana, breathing in asbestos fibers stirred up by the street traffic as they rode buses to school, now, as adults, are experiencing asbestosis symptoms. Under the current system, they have no hope of compensation.

Ron Huber, who worked 35 years in a steel mill, joined an asbestos suit in 1995 although he had no symptoms of asbestos-related illness. His attorney accepted a small settlement which, according to Huber, was wholly applied to legal costs. By 2002, he was truly experiencing symptoms of asbestos-related disease. He is suing the only person not released by settlement of the 1995 case—the attorney who recruited him for that suit.

Drew Anders, who spent 15 years working for a company that was forced to declare bankruptcy in reaction to growing asbestos litigation, watched his \$50,000 retirement account fall to \$1,500.

A small business owner in Louisiana who never manufactured anything containing asbestos once used an asbestos-threaded nut in a piece of machinery. Although there is no evidence that this nut causes asbestos-related disease, this man's company pays \$75,000 to \$100,000 a year in asbestos-related claims.

A research company that released one of the first studies establishing the health risks of asbestos—a report that saved lives and improved working conditions—is named in over 60,000 cases every year. The principals of this firm, which never used or manufactured asbestos products, spend hundreds of thousands of dollars annually in settlements.

Today, I am introducing the FAIR Act of 2005. This bill is based on bipartisan asbestos trust fund negotiations carried out during the last months of the 108th Congress. It puts patients ahead of plaintiffs and would dramatically reduce the cost of asbestos litigation. I call on us to work together and pass a bill that helps victims and companies affected by asbestos litigation, while benefiting the economy and boosting the stock market.

#### INTRODUCTION OF THE "CLEAN SMOKESTACKS ACT OF 2005"

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 17, 2005*

Mr. WAXMAN. Mr. Speaker, today I am again joining with Representative BOEHLERT in introducing the "Clean Smokestacks Act of 2005." This important legislation will finally clean up the Nation's dirty, antiquated power plants.

When I originally introduced the "Clean Smokestacks Act" with Representative BOEHLERT in the 106th Congress, we had a modest beginning. We had a total of 15 cosponsors and little attention.

But in the 107th and 108th Congresses, the bill's supporters grew to over 100 House members. During that time, Senator JEFFORDS successfully reported the companion legisla-

tion, the "Clean Power Act" from Committee. And even the Bush Administration, at least in rhetoric, recognizes that we urgently need to clean up these power plants.

Electricity generation is our Nation's single largest source of air pollution, including greenhouse gas emissions. Nationally, power plants are responsible for about 39 percent of carbon dioxide emissions, 67 percent of sulfur dioxide emissions, 22 percent of nitrogen oxides emissions and 41 percent of mercury emissions.

These four pollutants are the major cause of some of the most serious environmental problems the Nation faces, including acid rain, smog, respiratory illness, mercury contamination, and global warming. If we are going to improve air quality and reduce global warming, we must curb the emissions from these power plants.

Earlier this week, EPA took a first half-step towards reducing emissions of sulfur dioxide and nitrogen oxides emissions from some of these old plants, but EPA's regulation would still allow huge quantities of pollution from these plants and leave many plants operating without any modern pollution controls. On mercury, EPA's regulation would allow most old power plants to avoid ever installing pollution controls to reduce mercury emissions. And EPA has done nothing to address increasing carbon dioxide emissions from these plants.

When the original Clean Air Act was enacted in 1970, the electric utility industry argued that stringent controls should not be imposed on the oldest, dirtiest plants since they would soon be replaced by new state-of-the-art facilities. Although Congress acceded to these arguments and shielded old power plants from the law's requirements, many of these facilities—which were already old in 1970—are still in use. There are many power plants from the 1950's that are still in operation and have never had to meet the environmental requirements that a new facility would.

As a result, a single plant in the Midwest can emit as much NO<sub>x</sub> pollution as the entire state of Massachusetts.

The Clean Smokestacks Act says it is time to clean up these aging plants. The Act sets strong emissions reduction requirements for all four of the key pollutants from power plants, and it finally sets a deadline for old plants to install modern pollution controls. The Act allows for emissions trading to increase flexibility and reduce costs, where trading won't cause environmental harm. And the Clean Smokestacks Act promotes cost-effective energy efficiency and renewable energy measures, which help reduce pollution and save consumers money.

This approach just makes sense. Because these power plants are so old and so dirty, cleaning them up provides tremendous benefits at reasonable costs. This is one of the cheapest ways to get significant air quality improvements. And it finally provides a level playing field for new and old plants.

At the same time, this approach gives industry the benefit of increasing regulatory certainty by targeting all four pollutants at once. Industry can make better investments if it knows what all of the emissions requirements will be over the next decade or so.

Finally, the Clean Smokestacks Act recognizes that we need clean air, not regulatory

loopholes for irresponsible energy companies, so it leaves the Clean Air Act in place.

Since we first introduced this bill, the President has unveiled a competing proposal, which has been introduced as S. 131 in the Senate. The Administration claims that S. 131 targets the same goal of cleaning up power plants. It's important to recognize, however, that the Clean Smokestacks Act and S. 131 are not similar proposals with different levels of stringency. Rather, they have fundamentally different purposes and effects.

The Administration's proposal aims to help the energy industry escape tough enforcement of the Clean Air Act. It does this by rewriting significant portions of the Clean Air Act to weaken or delete key environmental protections that are cleaning up the air.

For example, S. 131 would give power plants an extra 10 years to avoid reducing toxic mercury emissions. S. 131 would also allow people to breathe unsafe air for years longer, limit the rights of states to protect themselves against out-of-state pollution, and weaken protections for national parks, among other changes to the Clean Air Act. Not surprisingly, industry is spending millions to urge Congress to adopt S. 131, while advocates for public health and the environment, such as the American Lung Association, almost universally oppose the bill.

Moreover, unlike the Clean Smokestacks Act, S. 131 does not guarantee that all outdated power plants will ever install modern air pollution controls. And because S. 131 does not address carbon dioxide emissions, it cannot promise to give industry certainty regarding future federal or state emissions reductions requirements.

So let there be no mistake—the Clean Smokestacks Act in the House, and the Clean Power Act in the Senate, are the proposals to strengthen the Clean Air Act by finally closing the loophole for old dirty power plants and addressing all four pollutants they emit.

In conclusion, let me commend Rep. BOEHLERT and all of the supporters of this legislation. I am pleased to be part of this bipartisan, bicameral approach to strengthening the Clean Air Act and protecting our environment.

#### HONORING THE TONAWANDA NEWS

**HON. THOMAS M. REYNOLDS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 17, 2005*

Mr. REYNOLDS. Mr. Speaker, it is with great pleasure that I rise to recognize the Tonawanda News, based in North Tonawanda, New York, on the occasion of its 125th Anniversary. Over the past 125 years, the Tonawanda News has become the written record for the Tonawandas, a trusted source of information and a cornerstone of the community that it serves.

The Tonawanda Daily News was founded on April 1, 1880, by Dr. George S. Hobbie, when the newspaper's first edition rolled off the presses with just four pages of newsprint. It was the Tonawandas' first and only daily newspaper dedicated to reporting news in the cities of Tonawanda and North Tonawanda.

Even in its humble beginnings, Dr. Hobbie knew the importance of building the newspaper's reputation and credibility among readers, and saw that it promptly appeared at noon each day. The Tonawanda News went on to be run by the first female publisher in New York state, Mrs. Ruby Hewitt, who played an important role in the growth and prosperity of the paper.

Over the last 125 years, the paper's circulation and reputation have grown tremendously; and all the while, the Tonawanda News and its staff have strived continually to provide the residents of the Twin Cities with accurate and timely news and information. Today, the Tonawanda News is known as one of the most reliable and accurate newspapers in Western New York. The journalistic standards that Dr. Hobbie, Mrs. Hewitt, and others instilled in the paper's staff over the years have not been forgotten; the paper remains committed to the values upon which it was founded, and the rich tradition that it has built.

I would like to offer my congratulations to the publishers, editors, and staff of the Tonawanda News, past and present, for all their hard work. I hope and expect that our "Hometown Newspaper" will be around for another 125 years.

Mr. Speaker, I ask that this Congress join me in celebrating the 125th Anniversary of the Tonawanda News.

#### PERSONAL EXPLANATION

#### HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 17, 2005*

Mr. LARSON of Connecticut. Mr. Speaker, I would like to submit this statement for the record and regret that I was unavoidably detained on Thursday, March 17, 2005 during Rollcall Vote Nos. 82 and 83 on H. Con. Res. 95, as well as Rollcall Vote No. 84 on H. Con. Res. 32. Had I been present, I would have voted "aye" on Rollcall Vote No. 82, an amendment offered by Congressman OBEY to H. Con. Res. 95, "no" on Rollcall Vote No. 83; an amendment offered by Congressman HENSARLING to H. Con. Res. 95, and "aye" on Rollcall Vote No. 84 on H. Con. Res. 32, expressing the grave concern of Congress regarding the occupation of the Republic of Lebanon by the Syrian Arab Republic.

#### INTRODUCING THE "SMALL BUSINESS EXPENSING PERMANENCY ACT OF 2005"

#### HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 17, 2005*

Mr. HERGER. Mr. Speaker, 2 years ago Congress, working together with President Bush, enacted into law the Jobs and Growth Tax Relief Reconciliation Act of 2003. Among other provisions, the law strengthened and expanded the expensing provisions afforded to small businesses under Section 179 of the In-

ternal Revenue Code. As such, the law encouraged small businesses to make new capital investments, thus spurring our economy and creating jobs. I believe Congress should make this provision permanent and today I am introducing the "Small Business Expensing Permanency Act of 2005" to do just that.

Specifically, the Jobs and Growth Act increased from \$25,000 to \$100,000 the amount of new investment a business can expense—or deduct from income—in a given year. The law also increased—from \$200,000 to \$400,000—the amount of total investment a business can make in a year and still qualify for expensing under Section 179. Unfortunately, under current law, these provisions are set to expire after 2007.

My legislation will repeal the 2007 sunset. If the higher expensing limits are good for our nation's small businesses over the next two years, they should be good for small businesses indefinitely.

Small businesses truly are the backbone of our economy, representing more than half of all jobs and economic output. We should not take small business vitality for granted, however. Rather, our tax laws should support small businesses in their role as the engines of innovation, growth, and job creation.

Mr. Speaker, in difficult economic times, we must do all we can to encourage new investment and job creation by creating certainty and predictability for America's small business owners. The "Small Business Expensing Permanency Act of 2005" will help accomplish this worthy goal. I applaud the Administration for its consistent leadership on this issue, and I look forward to working with my colleagues to enact this much needed legislation.

#### RECOGNIZING THE LIFE OF MRS. BOY JIN WONG

#### HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 17, 2005*

Ms. SOLIS. Mr. Speaker, I rise today to recognize and honor the life of Mrs. Boy Jin Wong who passed away on Saturday, March 12, 2005. A resident of West Covina for nearly 50 years, Mrs. Wong was a businesswoman, breast cancer survivor, mother, grandmother, great-grandmother and wife.

Mrs. Wong and her husband, Bing Tew Wong, opened the Great Wall restaurant in the 1950s just as West Covina was growing from less than 5,000 residents to more than 50,000 residents. Her son, Council Member Ben Wong, said "despite her limited English language skills, countless Great Wall customers will remember being warmly greeted by her and her enduring smile." When the Great Wall closed its doors in 2001, then Executive Director of the West Covina Chamber of Commerce, Fred Burkhardt, stated "the Great Wall is an institution of West Covina that is going to be severely missed."

Mrs. Wong is remembered as a generous person and someone who treated everybody as if they were honored guests. Mrs. Wong and her husband donated money for scholarships and to build a school in their home vil-

lage in China. She was an active member of the community, participating and contributing to numerous local organizations and charities.

It is with pleasure that I honor the life of Mrs. Boy Jin Wong. She will be greatly missed by her family, friends and community.

#### COMMENDING THOSE WHO FIGHT BLINDNESS IN AMERICA

#### HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 17, 2005*

Ms. ROS-LEHTINEN. Mr. Speaker, I wish to recognize the wonderful work of The Foundation Fighting Blindness, The National Eye Institute and Prevent Blindness America, and I want to commend all patients affected by vision impairment and blindness for their perseverance and courage.

I want to express my admiration for Betti and Carlos Lidsky, who are the National Trustees of The Foundation Fighting Blindness, and whose lovely family has been affected by a degenerative eye disease. They are great examples of perseverance and commitment to the cause of fighting blindness and are outstanding national leaders.

As Co-Chair of the Congressional Vision Caucus, I join my colleagues in the constant effort to help individuals who suffer from vision loss.

My home state of Florida has the highest proportion of senior citizens in the United States, and it ranks fifth regarding the number of people at highest risk of developing blinding eye disease.

Vision impairment is a very significant health problem in our nation, despite being a preventable condition in half of the cases. It has been estimated that the cases of vision impairment and blindness can double by the year 2030 if there is no intervention.

We, as a society, have a profound responsibility to intervene and to take action in order to enrich the lives of those currently suffering from vision impairment and to prevent others from developing visual problems in the future.

We must continue to raise public awareness about the dimension of this problem, and to encourage prevention. In addition, we need to improve access to quality vision care, treatment, and rehabilitation services. We need to support continued education, research, and advocacy efforts.

We have had tremendous breakthroughs in research leading to improvements in the treatment of certain visual conditions, which improve the quality of life for many visually impaired patients. More research can be done, and we will enjoy more success. The National Eye Institute has been committed to promoting research since its creation in 1968, and we are grateful to its scientists for their achievements in the advancement of research for new treatments and cures.

I ask my colleagues to join me in commending those who work tirelessly to fight blindness in America.